

**PAUL J. FISHMAN**  
United States Attorney  
BY: JASON RICHARDSON  
Assistant United States Attorney  
Camden Federal Building and Courthouse  
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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA**

: **Hon. Joseph H. Rodriguez**

**v**

: **Criminal No. 09-781 (JHR)**

**VALERI PYCHNENKO**

: **CONSENT JUDGMENT AND  
PRELIMINARY ORDER OF  
FORFEITURE**

**WHEREAS**, the defendant, Valeri Pychnenko having pled guilty to the Indictment in the above-captioned case on 2/9/10, 2010 for violations of 21 U.S.C. § 846; and

**WHEREAS**, pursuant to 21 U.S.C. § 853, the Court in imposing sentence on a person convicted of an offense in violation of 21 U.S.C. § 846 shall order that person forfeit to the United States any property, real or personal, involved in such offense, or any property traceable to such property; and

**WHEREAS**, Valeri Pychnenko pursuant a plea agreement entered into on 2/9/10, 2010 agreed to the forfeiture of:

1. The sum of money equal to \$219,980

**WHEREAS**, by virtue of the above, the United States is now entitled to possession of the above-referenced assets pursuant to 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules Criminal Procedure; and

**WHEREAS**, the defendant, Valeri Pychnenko, specifically acknowledges notice of the criminal forfeiture, consents to the entry of a preliminary order of forfeiture, and waives his right

to be present and heard on the timing and form of this order pursuant to Fed. R. Crim. P. 32.2 and 43(a); and

**WHEREAS**, the defendant, Valeri Pychnenko, agrees that he will not present an argument to the Court that the forfeiture of the above-referenced assets seized from him are grossly disproportionate and thereby excessive within the meaning of the Eighth Amendment of the United States Constitution; and

It is hereby **ORDERED, ADJUDGED AND DECREED:**

That the herein described assets, namely:

1. The sum of money equal to the amount of \$219,980 is hereby forfeited to the United States of America for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853.

That the aforementioned forfeited property is to be held by the United States Marshal Service in their secure custody and control.

That pursuant to 21 U.S.C. § 853(n)(1), the United States Marshal forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshals intent to dispose of the property in such a manner as the Attorney General may direct and notice that any person, other then the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

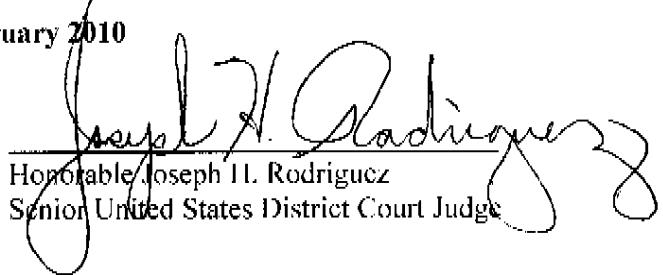
This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of

perjury, and shall set forth the nature and extent of the petitioner's rights, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Forfeiture Order, as a substitute for published notice as to those person so notified.

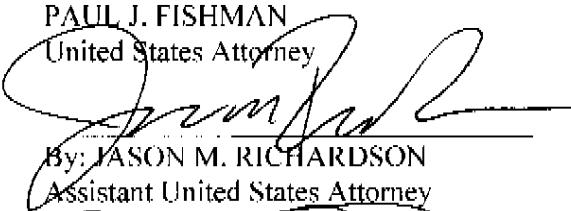
That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

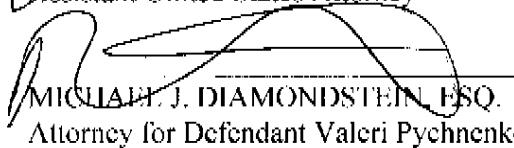
ORDERED this 9<sup>th</sup> day of February 2010

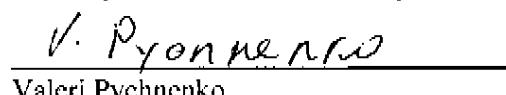
  
Honorable Joseph H. Rodriguez  
Senior United States District Court Judge

The Undersigned hereby consent to the entry and form of this order:

PAUL J. FISHMAN  
United States Attorney

  
By: JASON M. RICHARDSON  
Assistant United States Attorney

  
MICHAEL J. DIAMONDSTEIN, ESQ.  
Attorney for Defendant Valeri Pychnenko

  
Valeri Pychnenko

Dated: 2/15/10

Dated: 1/29/10

Dated: 1/29/10